

APPENDIX TO THE RULES REGULATING THE DESTRUCTION OF CIVIL RECORDS, ETC.

A.

FORM OF INDEX. (Rules 2 to 6.)

*No. of 19 on the file of the Court of
in the District of

1	2	3	4	5	6
Serial No. of Paper	Date when the paper was filed in the case	Description of the paper and its date	Number of the Part of the record to which the paper appertains	Alphabetical or numerical mark of the Exhibits filed	Remarks

* Enter description of proceeding as Original Suit, Small Cause Suit, etc.

B.

Table showing the divisions of the record and the description of the papers falling under each division.

(Rule 3.)

Divisions of the Record and description of the papers falling under each division

Number
of paper

B. I.

Part I.

(Civil)

Suits.

1. Index
2. Complaint including Schedule and Genealogical Tables
3. Written statements
4. Judgment and Decree (Original and Appellate) including, when a decree has been passed upon a Rajinama, the Rajinama itself.
5. Applications by a next friend or guardian *ad litem* to enter into any agreement or compromise on behalf of the minor, and the orders passed thereon
6. Special Powers of Attorney authorizing Advocate or Pleader to receive moneys from the Courts
7. Processes served upon defendants with the report of the serving officers in all *ex parte* decrees
8. Judge's notes
9. Complaint document
10. Award

Part II.

1. Order appointing a guardian *ad litem*
2. Agreement to state a case for decision
3. Application for arbitration
4. Order of reference to arbitration
5. Order appointing receivers
6. Appeal Memorandum
7. Judgment or Order remanding or remitting a suit on issues
8. Judgment and Decree on remand or finding
9. Commissioner's Report, Maps and Plans

B. II.

Part I.

Other Miscellaneous cases including Execution and Insolvency cases.

1. Index
2. Final Judgment and Order (Original and Appellate)

Part II.

1. Application for execution
2. Counter applications, including claims and objections
3. Order directing Execution
4. Order allowing time for satisfaction of Judgment
5. Order recording payment or satisfaction in whole or in part, of Judgment-debt
6. Report of sale by Court officers

Division of the Record and description of the papers falling under each division					Number of papers
7.	Order confirming sales	...	...	...	...
8.	Order of delivery of possession	...	...	...	...
9.	Report of delivery of possession	...	...	...	...
10.	Appeal Memorandum	...	...	...	...
11.	Copies of Judgments and orders in Appeals	...	...	...	...
B. III.		Part I.			
Proceedings relating to Probates and Letters of Admin- istration.		Probates and Letters of Administration.			
		Part II.			
1.	Application	..	...	..	..
2.	Accounts filed	...	...	..	...
B. IV.		Part II.			
Insolvency cases.					
1.	Insolvent's application and schedule	...	...	..	...
2.	Interim orders	...	...	...	..
		Part III.			
All suits and Miscel- laneous Proceed- ings.					
1.	Documentary evidence	..	...	..	...
2.	Diary B.	...	..	...	...
3.	Issues	..	..	...	...
4.	Oral evidence	...	...	...	..
5.	All papers not already specified	..	..	...	...

C.

Table showing the periods prescribed for the retention, after completion, of the various parts of the records in the various classes of proceedings.

(Rule 8.)

1. Civil.

Nature of Proceedings	Number of years for which records are to be retained		
	Part I	Part II	Part III
1. In suits or appeals.—			
(a) For or affecting immoveable property other than for foreclosure of the mortgage	Permanent	5	3
(b) In respect of succession to an office; or to establish or set aside an adoption or otherwise to determine the status of an individual; or under the Indian Succession Act (X of 1865) and the Hindu Wills' Act (XXI of 1870); decisions regarding a public right or custom or any matter affecting the public or a portion of the public	20	5	3
(c) For foreclosure of mortgage	15	5	3
(d) Not already named	12	5	3
2. In Small Cause Suits	12	5	3
3. In Miscellaneous Proceedings			
(a) In Execution cases	15	5	3
(b) In Insolvency cases	15	5	3
(c) In Proceedings relating to Probates and Letters of Administration	20	5	3
(d) In other Miscellaneous Proceedings	3	3	3

NOTE (1)—In Civil Execution cases, the record must be taken to have reached its completion on the date on which the decree is recorded as satisfied in full, and when further execution proceedings are not taken, on the expiry of six years from the date of the final order upon the last application for execution.

(2)—In all other cases, the record must be taken to have reached its completion on the date of final order or decree of the Court of first instance, or in the event of an appeal, from the date of the final order or decree of the Appellate Court.

D.

No.	Description of Court Registers, books and papers	Number of years for which Registers, etc., are to be retained
1	Register of Suits (Civil) ...	Permanent.
2	Register of Appeals (Civil) ...	25
3	Cash Book and Ledger, also Deposit Registers ...	20
4	Register of Small Causes ...	5
5	Diaries A and B, from the dates on which they close ...	3
6	Register of Court-fees and Registers in the Nazarat Department ...	15
7	Register of Execution Petitions ...	3
8	Copyists' Registers and Process service Registers ...	3
9	Other Registers— Account books other than cash book and Ledger ... Register of applications for return of documents ... Receipt books for documents returned to parties ... Stationery accounts ... Postage accounts ... Contingent bills and registers ...	3
10	Challan and Cheque books ...	35
11	Other Court or office books and registers ...	3
12	Mysore Gazettes ...	Permanent.
13	Fort St. George Gazette, except IA and II (if received) ...	3
14	Do IA and II ...	3
15	Official correspondence with the Chief Court and all orders including Administration Reports, other than those provided for above or hereafter ...	20
17	Yearly and half-yearly statements ...	5
18	Monthly and Quarterly statements, including accounts of stamp duties and penalties, ...	3
19	Applications for leave and orders thereon, applications from candidates for employment and Reports on applications not relating to suits or Proceedings in Court ...	1
20	Register of Petitions not otherwise provided for ...	12
21	Pay and Acquittance rolls ...	35
22	Register of refund of Court-fees ...	25

Register to be kept in the Central Record Room.

I. "From" Register as at present.

II. "To" Register as at present.

III. Register of records received (one for each Court in the Division, setting apart separate pages for each class of cases and for each year.)

Number of Suit or Proceeding	Plaintiff, Petitioner or Appellant	Defendant, Counter-Petitioner or Respondent	Date of receipt in the Central Record
1	2	3	
	9		

IV. Register of Records sent. One General and one for all other Courts in the Division.

Number of Suit or Proceeding	Names of parties	Number and date of requisition	Date sent and number of Central Record forwarding.	Date when record was received back
1	2	3	4	5

NOTE.—There shall be a key or index on the first page of Registers III and IV, showing consecutively for each year the number of the case, the names of the parties and the page of the Register where it is noted, separately for each class of suit or case, for ready reference.

Serial No. 66.
Civil.

From
The Court of
To
The Officer in charge of the
Central Record Room,
District Court, Division.

No.

Date.

It is requested that the undermen-
tioned records* be transmitted for reference.

Signature and official
Designation.

*X. No. of

NOTE.—Slips should be left in the place of
each record forwarded giving num-
ber and description thereof and the
number and date of the communica-
tion (66A) with which it was for-
warded.

12 A Serial No. 66A.
Civil.

From
The Record-Keeper,
Central Records, Division.

To
The

Date.

No.

His No. of the

Records* requested in the above are here-
with forwarded.

Record-Keeper.

*X ... No. of

Serial No. 66B.

From
To
The Record-Keeper
Central Records Division.

Date.

No.

His No. of the

The undermentioned Records received
with the above are herewith returned.

Signature and
Official Designation.

12 A Serial No. 66 C.

From
The Record-Keeper,
Central Records, Division.

To

Date.

No.

His No. of the

Records returned with the above have
been received.

Record-Keeper.

SAMPLE SHEET OF ASSORTMENT OF PAPERS.

Ordinary and Small Cause Suits.

				PART.
1. General Index	...	...	...	I
2. Complaint	...	...	...	I
3. Complaint document	...	...	...	I
4. Vakalat filed by plaintiff	...	...	...	III
5. Complaint copy	...	...	...	III
6. Application for appointment of guardian for suit for minor defend- ant and order of such appointment	...	...	...	II
7. Memo for issue of summons to defendant	...	...	...	III
8. Summons	...	...	...	III
9. Defendant's written statement	...	...	...	I
10. Defendant's Vakalat	...	...	...	III
11. List of documents filed by parties with documents	...	...	...	III
12. Memo for issue of summons to witnesses	...	...	...	III
13. Witness list	...	...	...	III
14. Witness summons	...	...	...	III

	PART.
15. Commission to examine witnesses	III
16. Plaintiff's Exhibits	III
17. Defendant's Exhibits	III
18. Application for issue of subpoenas for records, &c.	III
19. Judge's notes	I
20. Deposition of witnesses	III
21. Judgment and Decree	I
22. Razinama when a decree has been passed on it	I
23. Processes served on Defendants with the report of serving officers in all <i>ex parte</i> decrees	I
24. Special power to Vakil to draw money	I
25. Copies of decree and judgment (Appellate or Chief Court)	III
26. Application by a next friend or guardian <i>ad litem</i> to enter into any agreement or compromise on behalf of the minor and the	I
orders passed thereon	I
27. Application for submission to arbitration	II
28. Order of reference to arbitration	II
29. Award on all cases	I
30. Order appointing receivers	II
31. Commissioner's reports, maps and plans	II
32. Diary B.	III
33. Receipt for moneys paid in Court	II
34. Other papers not specified above or provided for by the rules	III

Note.—When any paper falls under more than one heading it will be classed under the part which requires to be preserved longest.

Miscellaneous Cases.

1. Index	I
2. Miscellaneous Applications	II
3. Vakalat by petitioner	III
4. Documents filed	III
5. Process memo	III
6. Notices	III
7. Memo of costs	III
8. Copy of order of the Lower Court	III
9. Vakalat filed by the counter-petitioner	III

Note.—For other papers see Ordinary and Small Cause Suits.

Execution Cases.

1. Index	I
2. Application for execution	II
3. Copy of decree	III
4. Vakalat by petitioner or counter-petitioner	III
5. Process memo	III
6. Claims to attached property. See Mis. Cases	
7. Order directing execution	II
8. Order allowing time for satisfaction of judgment	II
9. Order recording payment or satisfaction in whole or in part of judgment debt	II
10. Copies of judgments and orders in appeal	III
11. Sale warrant and sale proclamation	II
12. Sale proceedings (report of amin)	II
13. Receipt for possession	II
14. Report of delivery of possession	II
15. Sale certificate	II
16. Order confirming sale	II
17. Application for possession under sale certificate. See Mis. Cases	
18. Warrant of arrest and warrant of attachment	III
19. Attachment list	II

Note.—For other papers see Ordinary and Small Cause Suits.

Proceedings relating to Probates and Letters of Administration. } See Mis. Cases.
Succession certificate, Insolvency, Guardianship, etc.

Appeals.

1. Appeal Memorandum	II
2. Judgments and Orders in Appeal	I
3. Order of remand	II
4. Appeal decree	I

For remaining papers see Ordinary and Small Cause Suits.

NOTE.—When any paper falls under more than one heading it will be classed under the part which requires to be preserved longest.